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MEDIA ADVISORY

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CITY ATTORNEY FILES MOTION TO SUSPEND ENFORCEMENT OF LOWER COURT RULING TO REMOVE MT. SOLEDAD CROSS FROM THE WAR MEMORIAL

San Diego, CA: City Attorney Michael Aguirre confirmed late this afternoon that the City's motion to suspend enforcement of the U.S. District Court's ruling of May 3, 2006, which orders the City to remove the cross from the Mt. Soledad War Memorial, has been sent to the U.S. Court of Appeals for the Ninth Circuit in San Francisco.

The City Attorney believes the appeal is a proper action to take because they fall within the city's legal rights. Aguirre has previously stated that "we are free to disagree with these court orders but not to disobey or defy them."

The Federal District Court granted a motion to enforce a 1991 injunction forbidding the presence of the cross on City property. The Federal Court ordered the City to remove the cross within 90 days or face sanctions of \$5,000 per day. In his ruling, the judge said "it is now time, and perhaps long overdue, for this Court to enforce its initial permanent injunction forbidding the presence of the Mount Soledad cross on City property."

On Monday, May 23, the San Diego City Council made the decision to appeal the court rulings and pursue a stay of the federal court's sanction.

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